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9 *York as Trustee For The Certificateholders of*  
10 *CWALT, Inc, Alternative Loan Trust 2005-47CB,*  
11 *Mortgage Pass-Through Certificates, Series*  
12 *2005-47CB*

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13 THE BANK OF NEW YORK MELLON FKA  
14 THE BANK OF NEW YORK AS TRUSTEE  
15 FOR THE CERTIFICATEHOLDERS OF  
16 CWALT, INC., ALTERNATIVE LOAN  
17 TRUST 2005-47CB, MORTGAGE PASS-  
18 THROUGH CERTIFICATES, SERIES 2005-  
19 47CB,

20 Plaintiff,

21 vs.

22 SPRINGS AT CENTENNIAL RANCH  
23 HOMEOWNERS ASSOCIATION; SFR  
24 INVESTMENTS POOL 1, LLC,

25 Defendants.

Case No.: 2:17-cv-01673-JAD-GWF

STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES

[SECOND REQUEST]

SFR INVESTMENTS POOL 1, LLC,

Counterclaimant/Cross-Claimant,

vs.

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS OF  
CWALT, INC., ALTERNATIVE LOAN  
TRUST 2005-47CB, MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2005-  
47CB; MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC. as  
Nominee Beneficiary for REPUBLIC  
MORTGAGE, LLC; CLINT HARRIS, an  
individual; ELIZABETH HARRIS, an  
individual,

Counter-Defendant/Cross-Defendants.

### **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**

Plaintiff/Counter-Defendant The Bank of New York Mellon f/k/a The Bank of New York as Trustee For The Certificateholders of CWALT, Inc, Alternative Loan Trust 2005-47CB, Mortgage Pass-Through Certificates, Series 2005-47CB (**BoNYM**), Defendants/Counterclaimant/Cross-Claimant SFR Investments Pool 1, LLC (**SFR**) and Springs at Centennial Ranch Homeowners Association (**HOA**), by and through their respective counsel of record, and hereby jointly submit this Stipulation and Order to Extend Discovery Deadlines (Second Request) pursuant to LR 6-1 and LR 26-4. This is the first request to extend the discovery deadlines set by the Scheduling Order entered by the Court on October 11, 2017. ECF No. 39.

#### **A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

##### **1. Rule 26 Disclosures**

SFR served its initial disclosures on July 27, 2017.

BoNYM served its initial disclosures on August 2, 2017.

BoNYN served its initial expert disclosures on December 12, 2017.

BoNYM served its first supplement to initial disclosures on December 26, 2017.

SFR served its rebuttal expert disclosures on January 16, 2018.

HOA served its initial disclosures on January 30, 2018.

BoNYM served its second supplement to initial disclosures on February 9, 2018.

HOA served its first supplement to initial disclosures on February 21, 2018.

BoNYM served its third supplement to initial disclosures on March 12, 2018.

SFR served its first supplement to initial disclosures on March 14, 2018.

## **2. Written Discovery**

BoNYM served its first request for admissions, first request for production of documents and first set of interrogatories to SFR on December 18, 2017.

BoNYM served its first request for admissions, first request for production of documents and first set of interrogatories to HOA on December 18, 2017.

SFR served its objections and responses to BoNYM's first request for admissions, first request for production of documents and first set of interrogatories to BoNYM on January 22, 2018.

SFR served its first request for admissions, first request for production of documents and first set of interrogatories to BoNYM on January 29, 2018.

HOA served its first request for admissions, first request for production of documents and first set of interrogatories to BoNYM on February 12, 2018.

HOA served its responses to BoNYM's first request for admissions, first request for production of documents and first set of interrogatories to BoNYM on February 22, 2018.

BoNYM served its responses to HOA's first request for admissions, first request for production of documents and first set of interrogatories on March 12, 2018.

BoNYM served its responses to SFR's first request for admissions, first request for production of documents and first set of interrogatories on March 12, 2018.

## **3. Depositions**

BoNYM deposed David Alessi 30(b)(6) witness for Alessi & Koenig LLC, February 26, 2018.

## **B. STATEMENT OF DISCOVERY REMAINING TO BE COMPLETED**

SFR's deposition of BoNYM. BoNYM's deposition of HOA. The parties reserve the right to conduct additional discovery.

1 **C. REASONS WHY AN EXTENSION IS REQUIRED**

2 BoNYM's deposition was stayed pending this court's decision on BANA's motion for  
3 protective order in *Bank of America, N.A. v. Azure Manor/Rancho De Paz Homeowners Ass'n, et al*,  
4 D. Nev Case No. 2:16-cv-00764-GMN-GWF. *See* ECF No. 31. A decision on the *Azure Manor*  
5 motion was issued on March 19, 2018. *See* ECF No. 62 in the *Azure Manor* case. The parties request  
6 an extension of discovery to accommodate the scheduling of SFR's deposition of BoNYM. Given  
7 counsel and witness availability, the parties anticipate scheduling BoNYM's deposition in late April  
8 or early May 2018.

9  
10 **D. PROPOSED SCHEDULE FOR ALL REMAINING DISCOVERY**

	<b><u>Current Deadline</u></b>	<b><u>Proposed Deadline</u></b>
11		
12	Discovery Cut-Off:	March 14, 2018
13	Dispositive Motions Deadline:	April 13, 2018
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28	...	

Based on the foregoing, the parties respectfully request the court extend the remaining discovery deadline. The parties make this request in good faith and believe good cause exists for extending these deadlines.

DATED this 27th day of March, 2018.

<b>AKERMAN LLP</b>  <u>/s/ Tenesa S. Powell</u> ARIEL E. STERN, ESQ. Nevada Bar No. 8276 TENESA S. POWELL, ESQ. Nevada Bar No. 12488 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134  <i>Attorneys for The Bank of New York Mellon          f/k/a The Bank of New York as Trustee For The          Certificateholders of CWALT, Inc, Alternative          Loan Trust 2005-47CB, Mortgage Pass-          Through Certificates, Series 2005-47CB</i>	<b>KIM GILBERT EBRON</b>  <u>/s/ Diana S. Ebron</u> DIANA S. EBRON, ESQ. Nevada Bar No. 10580 JACQUELINE A. GILBERT, ESQ. Nevada Bar No. 10593 KAREN L. HANKS, ESQ. Nevada Bar No. 9578 7625 Dean Martin Drive, Suite 110 Las Vegas, Nevada 89139  <i>Attorneys for SFR Investments Pool 1, LLC</i>
<b>LEACH JOHNSON SONG &amp; GRUCHOW</b>  <u>/s/ Ryan W. Reed</u> RYAN WARREN REED, ESQ. Nevada Bar No. 11695 8945 W. Russell Rd., Ste. 330 Las Vegas, NV 891148  <i>Attorneys for Springs at Centennial Ranch          Homeowners Association</i>	

**ORDER**

**IT IS SO ORDERED:**

  
 UNITED STATES MAGISTRATE JUDGE

3/28/2018  
 DATED